

REMARKS

The interview with Examiners Joseph McKane and Binta Robinson on July 7, 2004, is acknowledged and appreciated. It is believed that the Interview Summary of record succinctly sets forth the substance of the interview.

Claims 17, 25 and 27 have been amended to remove informalities present within the claims. Claims 28 and 29 have been added. No new matter has been added. Claims 17 and 24-29 remain in prosecution.

Claims 17 and 24 have been rejected as being obvious in view of Ninomiya et al. The obviousness rejection is supported by the following statement:

Ninomiya et al. teaches the process of preparing 4-Pyridinecarboxylic acid which comprises refluxing 4-pyridinecarboxylic acid, hydrazide with ethanol to produce a solution with an acyl compound to obtain the product. *The difference between the prior art process and the Ninomiya process is the teaching of the production of a mole ratio of the carbonyl compound to the final product compound, 4-Pyridinecarboxylic acid in the instant process and not in the Ninomya process.*

See page 2 of the Office Action dated October 10, 2003 [emphasis added]. Applicant contends that the mole ratio of the carbonyl compound to the isonocotinic acid hydrazide recited in claim 17 simply can not be suggested by Ninomiya et al. because the process disclosed in Ninomiya et al. does not include the use of a carbonyl compound to yield the resultant product. Compound (II) of the English Translation of Ninomiya et al. is either an alcohol or an ester, not a carbonyl compound.

In view of the above, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is earnestly solicited.

Respectfully submitted



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